

SUPPORT FOR THE AMENDMENTS

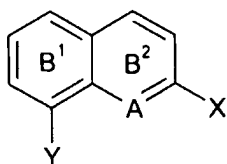
Newly-added Claims 12-34 are supported by the specification and the original claims. Accordingly, no new matter is believed to have been added to the present application by the amendments submitted above.

REMARKS

Claims 12-34 are pending. Favorable reconsideration is respectfully requested.

Claims 12-33

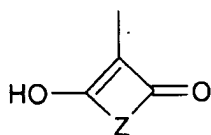
The present invention relates to a method of crystallizing organic pigments, comprising crystallizing an organic pigment in the presence of a compound represented by formula I:



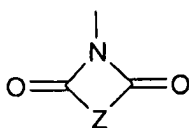
where

A is =N-;

X is methyl or a radical of the formula IIa:



Y is an R radical or a radical of the formula IIb:



with either X being a radical of the formula IIa or Y being a radical of the formula IIb;

R is hydrogen, halogen, C₁-C₄-alkyl, -SO₃H, -SO₃⁻ Me⁺, -SO₃⁻ N⁺R¹R²R³R⁴,
 -SO₂NR¹R², -CH₂NR¹R², -CH₂R⁵, -COOH, -COO⁻ N⁺R¹R²R³R⁴, -COOR⁶
 or -COR⁶;

R¹, R², R³ and R⁴ are each independently hydrogen; C₁-C₂₂-alkyl or C₂-C₂₂-alkenyl
 whose carbon chain may in either case be interrupted by one or more -O-, -S-, -NR⁷-, -CO-
 or -SO₂- moieties and/or which may be substituted by one or more of hydroxyl, halogen, aryl,
 C₁-C₄-alkoxy and acetyl; C₃-C₈-cycloalkyl whose carbon skeleton may be interrupted by one
 or more -O-, -S-, -NR⁷- or -CO- moieties and/or which may be substituted by one or more of
 hydroxyl, halogen, aryl, C₁-C₄-alkoxy and acetyl; hydroabietyl, abietyl or aryl; R¹ and R² or
 R¹, R² and R³ may combine to form a 5- to 7-membered cyclic radical which contains the
 nitrogen atom and may contain further hetero atoms;

R⁵ is a radical of the formula IIb':



R⁶ is one of the R¹ alkyl radicals;

R⁷ is hydrogen or C₁-C₄-alkyl;

Me is an alkali metal ion;

Z and Z' are each independently arylene which may be substituted by one or more of
 halogen, -SO₃H, -SO₃⁻ Me⁺, -SO₃⁻ N⁺R¹R²R³R⁴, and C₁-C₁₂-alkyl, and

the rings B¹ and B² may each be independently additionally substituted by one or more identical or different R radicals other than hydrogen.

See Claim 12.

The rejection of the previously-pending "use" claims under 35 U.S.C. §102(b) over JP 2001335711 (JP '711) or DE 2924066 (DE '066) is respectfully traversed. The cited references fail to suggest the claimed method.

The claimed method specifies crystallizing an organic pigment in the presence of a compound represented by formula I. Neither JP '711 nor DE '066 disclose such a method. Accordingly, the cited references fail to anticipate the claimed method. Withdrawal of this ground of rejection is respectfully requested.

The rejection of previously-pending Claim 11, directed to a compound, under 35 U.S.C. §102 over JP 51147544 (JP '544) is moot in view of the cancellation of that claim. Withdrawal of this ground of rejection is respectfully requested.

The rejection of the claims under 35 U.S.C. §112, first paragraph, is respectfully traversed. Applicants appreciate the indication of the subject matter not within the scope of the rejection in paragraph 5 of the Office Action. See dependent Claims 14-19.

However, the specification provides a detailed description of making the compounds specified in Claim 12 and detailed procedures for using those compounds to crystallize organic pigments as claimed. See pages 7-10 of the specification for detailed synthetic procedures for making the compounds. See pages 10-15 for procedures relating to the use of the compounds in the claimed method. In addition, pages 15-21 present a series of working Examples. In view of this disclosure, the claimed method is enabled.

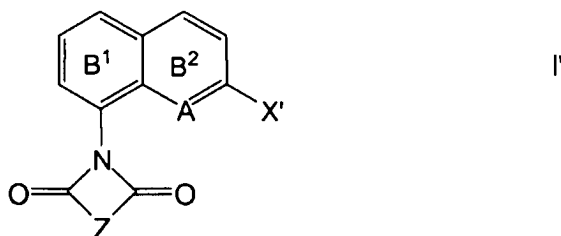
The Examiner has provided no objective evidence for a lack of enablement. See paragraph 5 of the Office Action. For that reason alone, the rejection is unsustainable.

Considered in view of the specification of the present application, the rejection must be withdrawn.

The rejection of the claims under 35 U.S.C. §112, second paragraph, is believed to be obviated by the amendment submitted above. The "use" claims have been canceled in favor of "method" claims. In view of the amendments, the claims are definite within the meaning of 35 U.S.C. §112, second paragraph. Withdrawal of this ground of rejection is respectfully requested.

Claim 34

Claim 34, like the previously pending Claim 11, is directed to compounds. Thus, the present invention also relates to a compound represented by the formula I':



where

A is =N-;

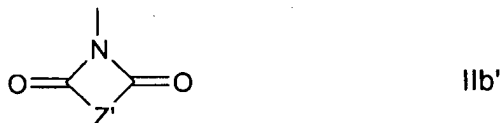
X' is methyl;

The rings B¹ and B² may be independently additionally substituted by one or more identical or different R radicals other than hydrogen, wherein B² is not substituted at the 4-position;

R is hydrogen, halogen, C₁-C₄-alkyl, -SO₃H, -SO₃⁻ Me⁺, -SO₃⁻ N⁺R¹R²R³R⁴, -SO₂NR¹R², -CH₂NR¹R², -CH₂R⁵, -COOH, -COO⁻ N⁺R¹R²R³R⁴, -COOR⁶ or -COR⁶;

R^1 , R^2 , R^3 and R^4 are each independently hydrogen; C_1 - C_{22} -alkyl or C_2 - C_{22} -alkenyl whose carbon chain may in either case be interrupted by one or more -O-, -S-, -NR⁷-, -CO- or -SO₂- moieties and/or which may be substituted by one or more of hydroxyl, halogen, aryl, C_1 - C_4 -alkoxy and acetyl; C_3 - C_8 -cycloalkyl whose carbon skeleton may be interrupted by one or more -O-, -S-, -NR⁷- or -CO- moieties and/or which may be substituted by one or more of hydroxyl, halogen, aryl, C_1 - C_4 -alkoxy and acetyl; hydroabietyl, abietyl or aryl; R^1 and R^2 or R^1 , R^2 and R^3 may combine to form a 5- to 7-membered cyclic radical which contains the nitrogen atom and may contain further hetero atoms;

R^5 is a radical of the formula IIb':



R^6 is one of the R^1 alkyl radicals;

R^7 is hydrogen or C_1 - C_4 -alkyl;

Me is an alkali metal ion;

Z and Z' are each independently phenylene which is substituted by one or more of halogen, -SO₃H, -SO₃⁻ Me⁺, -SO₃⁻ N⁺R¹R²R³R⁴, and C_1 - C_{12} -alkyl.

The rejections of Claim 11 under 35 U.S.C. 102(b) over JP 2001335711 (JP '711), Pagani, DE 2924066 (DE '066) and JP 51147544 (JP '544) are respectfully traversed. The cited references fail to disclose the claimed compounds.

Claim 34 is patentable over JP51147544 (JP '544). See a U.S. equivalent to JP '544, Shimada et al. (U.S. 4,077,960). From the disclosure therein, Z is limited to naphthalene and biphenylene groups, please compare column 5, line 40 ("formula II") and column 2 lines 35-40 in U.S. 4,077,960.

Claim 34 is allowable in view of Pagani since "substance (VIII)" in Pagani has unsubstituted phenylene as Z group.

Claim 34 is not anticipated by DE '066. The substituents on the Z' group are outside of the scope of the reference, as shown in the Abstract.

In view of the foregoing, withdrawal of these grounds of rejection is respectfully requested.

The rejection of Claim 11 under 35 U.S.C. 112, first paragraph is respectfully traversed. In paragraph 5 of the Office Action, the Examiner states that no reasonable enablement has been provided "for compounds or methods wherein X and Y are both IIa or IIb". Such compounds or methods are not referred to in our claims. The compounds mentioned in our claims are compounds represented by formula I "with either X being a radical of the formula IIa or Y being a radical of the formula IIb."

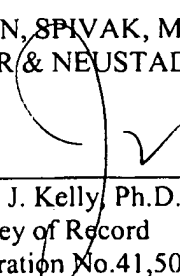
Applicants submit that the present application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

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